

Town Board Minutes

Meeting No. 4

Special Meeting

January 21, 2003

Town Board Minutes
January 21, 2003
Meeting No. 4

A Special Joint Meeting of the Town Board of the Town of Lancaster with the Village of Depew Board was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of January 2003 at 7:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
JOHN FRAGALE, TRUSTEE
WILLIAM MARYNIEWSKI, TRUSTEE
TERRENCE MESCAL, TRUSTEE
NICHOLAS SHERWOOD, TRUSTEE
JOSEPH MCINTOSH, MAYOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER
DAVID MAZUR, TRUSTEE
CHARLES SEILER, TRUSTEE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT KUCEWICZ, VILLAGE ADMINISTRATOR
SUZANNE BLANK, CLERK TYPIST

PURPOSE OF MEETING:

This joint meeting of the Town Board of the Town of Lancaster and the Village Board of the Village of Depew was held for the purpose of conducting a Joint Public Hearing on the petition of Matthew W. Filipowicz to annex to the Village of Depew real property situate within the Town of Lancaster, to wit: a parcel of approximately 7.89 acres \pm of vacant land situate on the north side of Columbia Avenue, east of the boundary line of the Village of Depew within the Town of Lancaster.

PUBLIC HEARING SCHEDULED FOR 7:00 P.M.:

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

The following persons gave a brief overview of the proposed annexation and proposed project:

Richard Sherwood, Lancaster Town Attorney, explained to the Boards the legal procedure involved in the annexation of real property. If one of the governing Boards denies the annexation request of the petitioner and the other governing Board approves the annexation, the petitioner may in concert with the Board which approved the annexation take the matter to the New York State Supreme Court. The New York State Supreme Court will then render a determination on the matter of the annexation.

Joseph McIntosh, Mayor, Village of Depew, informed the public that there are 21± acres of land; 7± acres are in the Town outside the Village of Depew and 14± acres situated within the Village of Depew. It is his understanding that Forbes Homes proposes to construct approximately 50 homes on the site.

Ellot Lasky, Developer for Forbes Homes, stated that a wetland study has been performed. The proposal will be for the construction of approximately 50 single family homes on lots with 70' to 75' frontage in the price range of \$160,000 to \$220,000. The sanitary sewer connection will be on Columbia Avenue, not on Kennedy Court. These will be low density, single family, high end homes. The purchase contract is contingent on the real property annexation. He is willing to stipulate to the construction of single family, low density homes.

The following persons spoke on the project:

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Ron Maciejewski, Depew Fire Chief	182 Olmstead Avenue	Comments
Requests that Depew be fire protection provider.		
Dave Steinel	214 Belmont Avenue	Opponent
Concerns about drainage, crowded schools and traffic.		
Rich Wlosinski	26 Pheasant Run Lane	Opponent
Concerns about drainage, schools, traffic and property taxes.		
Donald Symer	610 Columbia Avenue	Opponent
Proposed change will not benefit Town & Village residents. Concerns about petitioner's relationship to Depew Building Official; concerns about drainage, traffic, noise and decreased water pressure.		
Gary Howell	48 Park Blvd	Opponent
Project does not benefit either community. Bowmansville Volunteer Fire Company does not support this request. Cost to support the homes will be greater than Town of Lancaster revenues increase. Expressed concerns about traffic & flooding. Alleges there is a relationship of heirs of the estate to employees of Village of Depew.		
Dan Beutler	26 Tyler Street	Proponent
Concerns about wetlands. Feels it is good for Village of Depew to build 50+ homes but has some concerns.		
Ray Wienckowski	627 Columbia Avenue	Opponent
Joe Cipolla	35 Hillside Pkwy	Proponent
Don Reding	16 Kennedy Court	Opponent

Jim Streicher	51 Kennedy Court	Opponent
Lawrence Labinski	55 Kennedy Court	Opponent
John Pasquariello	32 Kennedy Court	Opponent
Questioned the number of outlets and expressed drainage concerns.		
Jerry Gangloff	28 Kennedy Court	Comments
Expressed concerns about traffic.		
Edward Zack	40 Pheasant Run Lane	Opponent
Questions about the storm water runoff from proposed development to detention pond behind Pheasant Run Lane.		
Ellen Hardy	41 Madison Street	Proponent
Shirley Smith	20 Pheasant Run Lane	Opponent
Expressed concerns about traffic, drainage, trees behind her home and school overcrowding.		
Steve Filipowicz, petitioner	2518 Lake Rd, Hilton, New York	Proponent
Wants to thank both Boards for their consideration.		
Conrad Keryling	48 Kennedy Court	Opponent
Town will have no control over what happens with schools, traffic, and drainage for the residents of Town outside of Village. Because the Town of Lancaster will provide ingress & egress through Town roads, the Town should control the subdivision.		
Lee Chowanice	93 Northwood Drive	Comments
Sees no benefit to Town or to residents. Wants a definitive site plan prior to annexation.		
Jim Brett	659 Harris Hill Road	Comments
Questions about sanitary sewer district & water lines. Concerns about water pressure.		
David Hanitz	7 Schilling Court	Opponent
Concerns about school crowding.		
Edward Kulpa	12 Ravenwood Drive	Questions
Concerns about response time of fire department.		
Mary Ann Gangloff	28 Kennedy Court	Opponent
Wants to know what criteria the Town Board will use to make their determination.		
George Beyer	604 Columbia Avenue	Comments
Questions about berms on rear of lots. Concerns about his privacy and water pressure.		


ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED
BY TRUSTEE NICHOLAS SHERWOOD, TO CLOSE THE PUBLIC HEARING, on roll,
which resulted as follows:

COUNCIL MEMBER MARK MONTOUR	VOTED YES
COUNCIL MEMBER RONALD RUFFINO	VOTED YES
COUNCIL MEMBER DONNA STEMPIAK	VOTED YES
COUNCIL MEMBER RICHARD ZARBO	WAS ABSENT
SUPERVISOR ROBERT GIZA	VOTED YES
TRUSTEE JOHN FRAGALE	VOTED YES
TRUSTEE WILLIAM MARYNIEWSKI	VOTED YES
TRUSTEE DAVID MAZUR	WAS ABSENT
TRUSTEE TERRENCE MESCAL	VOTED YES
TRUSTEE CHARLES SEILER	WAS ABSENT
TRUSTEE NICHOLAS SHERWOOD	VOTED YES
MAYOR JOSEPH MCINTOSH	VOTED YES

The Public Hearing was closed at 8:22 P.M.

January 21, 2003

Signed


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 5

Regular Meeting

January 21, 2003

Town Board Minutes

January 21, 2003

Meeting No. 5

A Regular Meeting of the Town Board of the Town of Lancaster, Eric County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of January, 2003 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- Memorialized the Stanley family of Bowmansville.

Howell, Gary, 48 Park Blvd, spoke to the Town Board on the following matters:

- Comments about no left hand turn conditions from Tim Hortons on Walden.
- Various angry comments to Board members.

Przybysz, Paul, 66 Northwood Drive, spoke to the Town Board on the following matter:

- Comments about a recent appearance of the Supervisor on a TV news program regarding the proposed development at NEC Transit/William LLC.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Comments about appointments made at January 6, 2003 meeting.
- Claims Town has not made an appointment of Records Access Officer for Police Department.
- Allegations of missing records.
- Requests investigation.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- Comments about the appointment and selection of Police Department personnel.
- Feels that the Town should reinstate the Civilian Police Commission.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Planning Board and the
Town Board held January 6, 2003 and the Regular Meeting of the Town Board Held January 6,
2003 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing shade trees, and

WHEREAS, funds have been provided in the current 2003 General Town Budget for the 2003 Tree Planting Program, and

WHEREAS, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster's Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That sealed bids be received by the Town Clerk up to 10:30 A.M., Local Time, on February 6, 2003 for meeting the requirements of the Town of Lancaster's 2003 Tree Planting Program and for supplying of trees in accordance with specifications on file in the Town Clerk's Office, and

2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Bee, and to have said Notice posted as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

FILE: KNOTREES (P1)

LEGAL NOTICE

**TOWN OF LANCASTER
NOTICE TO BIDDERS
OR NURSERYMEN**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk or her designee up to 10:30 A.M., Local Time, on February 6, 2003 at her office in the Town Hall, 21 Central Avenue, Lancaster, New York for meeting the requirements of the Town of Lancaster's Tree Planting Program for the year 2003 in accordance with specifications on file in the Town Clerk's Office.

Each proposal must be accompanied by a check payable to the Town of Lancaster or a bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) conditioned that, if the proposal is accepted, the bidder will enter into a contract for the same and that the bidder will execute any such further security as may be required for the faithful performance of the contract.

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

January 21, 2003

File: RBOTREES (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO TO WIT:

WHEREAS, the Executive Director of the Town of Lancaster, by letter dated January 14, 2003, has requested the appointment of various members to the Youth Board of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed members of the Town of Lancaster Youth Board for the period January 21, 2003 to May 31, 2003:

Jill Cadby
103 Nichter Road
Lancaster, New York 14086

Anthony Marrano
32 Domino Court
Depew, New York 14043

Rev. David Meade
517 Central Avenue
Lancaster, New York 14086

Patrick O'Brien
606 Lake Avenue
Lancaster, New York 14086

Jill Santoro
14 James Place
Lancaster, New York 14086

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

File: RPERS BD (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, the issuance of hunting and fishing licenses/stamps by local government is a valuable and necessary service to the state, and

WHEREAS, Town Clerks must be aware of and carefully follow the mandates of the Environmental Conservation Law and the New York State Department of Environmental Conservation in connection with the issuance of licenses and/or stamps, and

WHEREAS, Towns face considerable liability for any failure to properly issue and record such licenses, for failure to properly file the required reports, and for failure to comply with all other requirements of the new legislation, and

WHEREAS, Towns must maintain a separate telephone line, equipment and space as a condition of participation in the DECALS program, and

WHEREAS, the state only pays for the installation of such required additional telephone line, but not for the added monthly cost of maintaining such line, and

WHEREAS, Towns participating in the DECALS program must now also issue free Deer Management Permits, for which no percentage or fee is returned to the Town at all, and

WHEREAS, Towns currently receive no more than 5.5 % of the fee for issuance of resident licenses and 1.1% for issuing non-resident licenses in compliance with the law and all procedural requirements.

WHEREAS, the New York State Town Clerks Association, representing the clerks of nearly all of the 932 towns of the state has memorialized the Legislature of the State of New York to pass, and the Governor sign into law, legislation to increase compensation to local governments representing the state with those citizens purchasing licenses under the DECALS program by:

1. Increasing the percentage retained for license issuing from 5.5% to 15% (for resident licenses) and from 1.1% to 3.0% (for non-resident licenses), such increase to help defer the cost of the monthly telephone line service charge incurred by the Towns.
2. Paying a percentage on combination licenses and permits issued.
3. Paying \$1.00 to the municipality for each deer management permit issued for free by the Towns.
4. Establishing a 10% commission reimbursement to the Towns to cover the loss of revenue directly resulting from the DECALS issuance of sporting licenses to Town residents.

5. Establishing an ombudsman and information agency or office within New York State Department of Environmental Conservation as a resource for residents to go to with questions or problems relating to DECALS-issued licenses, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby memorializes the Legislature to pass and the Governor to sign into law legislation to increase compensation to local governments representing the state with those citizens purchasing licenses under the DECALS program.

BE IT FURTHER

RESOLVED, that a copy of this resolution be transmitted to the Governor and the Western New York representatives of the New York State Senate and the New York State Assembly.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER S'EMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

WHEREAS, a vacancy exists in the position of Recreation Attendant (Dance Instructor), at the Senior Citizens Center, and

WHEREAS, the General Crew Chief has recommended the appointment of Claire Dela Rosa to fill this position.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1: That Claire Dela Rosa, 106 Pheasant Run Lane, Lancaster, New York 14086, be and is hereby appointed to the position of Recreation Attendant (Dance Instructor), permanent, part time at the Senior Center with a salary of \$7 per hour, averaging seven (7) hours per week.

SECTION 2: That this appointment be effective Tuesday, January 21, 2003

SECTION 3: That this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has informed
the Town Board that vacancies exist in the position of Dog Control Officer, Part Time, and

WHEREAS, the Dog Control Officer has recommended the appointment of
William Garland, 17 Cadet Circle, Lancaster, New York 14086 and Lew Pacanowski, 88
Pheasant Run Lane, Lancaster, New York 14086 to the aforementioned position of Dog Control
Officer, Part Time.

NOW, THEREFORE, BE IT

RESOLVED, that William Garland, 17 Cadet Circle, Lancaster, New York
14086 and Lew Pacanowski, 88 Pheasant Run Lane, Lancaster, New York 14086 be and are
hereby appointed to the position of Dog Control Officer, Part Time, with no health benefits,
insurance, sick days, vacation or other benefits, effective January 22, 2003, and

BE IT FURTHER

RESOLVED, that the salary for this position is \$11.57 per hour which is 75%
of the gross salary, as set forth in the 2003 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

FILE: RPFERS.DCO (PI)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated January 14, 2003 has requested the addition of two (2) Probationary Active Members to the membership roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the following additions to the membership of the Bowmansville Volunteer Fire Association:

ADDITIONS - Probationary Active Members:

David Mallory
10 Stone Hedge Drive
Lancaster, New York 14086

Brian Tate
203 Broezel Avenue
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

File: RFIRE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, at the January 6, 2003 meeting of the Town Board of the Town of Lancaster certain dates for the observance of holidays were designated pursuant to Section 13.01 "Holidays" in the agreement between the Town of Lancaster and the Lancaster Dispatcher Employee Association, and

WHEREAS, a new agreement was ratified at the January 6, 2003 meeting, changing the holidays.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 13.01 "Holidays" of an agreement between the Town of Lancaster and the Lancaster Dispatcher Employee Association ratified at the January 6, 2003 meeting, the following calendar dates shall be observed as holidays during the year 2003:

January 1	New Year's Day
January 20	Dr. Martin Luther King, Jr. Day
February 17	Patriot's Day (a/k/a Presidents' Day)
April 18	Good Friday
April 20	Easter Sunday
May 26	Memorial Day
July 4	Independence Day
September 1	Labor Day
October 13	Columbus Day
November 11	Veterans' Day
November 27	Thanksgiving Day
November 28	Day After Thanksgiving
December 24	Christmas Eve
December 25	Christmas Day

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003
file: amended holidays

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

RESOLVED, that the following appointment is hereby made by the Town Board of the Town of Lancaster. This appointment is for the period January 21, 2003 to December 31, 2003.

GENERAL ADMINISTRATIVE APPOINTEE

Stoldt, Gary, he and is hereby appointed 2nd Alternate Natural Disaster Service Coordinator.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Highway Superintendent has submitted a proposed Agreement to the Town Board of the Town of Lancaster for the expenditure of highway funds for the year 2003, pursuant to the requirements of the Highway Law of the State of New York, and

WHEREAS, the Highway Superintendent has advised that the allocation of money in the proposed Agreement for general repairs to be carried out includes the cost of labor and materials, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the proposal by the Highway Superintendent.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds for the year 2003, as submitted by the Superintendent of Highways.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

File: rhwyfnds1003

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has reviewed a
proposal for insurance consulting for the Town of Lancaster, and

WHEREAS, after due review and consideration of the proposals the
Town Board has determined that it is in the public interest to accept the proposal made by
Municipal Insurance Consultants, Incorporated.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor of the Town of Lancaster to enter into an Agreement and Addendum
thereto with Municipal Insurance Consultants, Inc., 5687 Main Street, Williamsville, New York
14221 on the terms and conditions set forth in its proposal for the year commencing January 5,
2003 and running through January 5, 2004, at an annual fee of \$3,500, in accordance with the
terms and conditions of said Agreement, a copy of which is on file in the Town Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by
the Director of Administration and Finance, to wit:

Claim No. 237 to Claim No. 515 Inclusive

Total amount hereby authorized to be paid: \$246,593.90

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

10158	Ferry Builders Inc	7 Clermont Ct	Er. Dwlg.-Sin.
10159	Ferry Builders Inc	145 Nathan's Trl	Er. Dwlg.-Sin.
10164	Federal Builders	5380 Genesee St	Er. Sign-Wall
10165	Brierwood Day Care Ctr	4920 William St	Er. Sign-Temp
10166	Morgus, John	10 Northbrook Ct	Er. Res. Alt.
10167 SW	Marotta, Charles	5622 William St	Er. Dwlg.-Sin.
10168	Randaccio, Albert	33 Sussex Ln	Er. Dwlg.-Sin.
10169	Marrano/Marc Equity Inc	36 Cedar Brook Dr	Er. Dwlg.-Sin.
10170	Circolo Sprotivo Italia	4817 Transit Rd	Er. Sign-Temp
10171	Duro Shed Inc	397 Seneca Pl	Er. Shed
10172	Milkowski, Theresu	8 Kennedy Ct	Er. Deck
10173	Marrano/Marc Equity Inc	9 Peachtree Ct	Er. Dwlg.-Sin.
10174	Donald A. White DBA	2663 Wehrle Dr	Er. Res. Alt.
10175	Iroquois Fence Co	3600 Walden Ave	Er. Fence
10176	Swimco Inc	6319 Broadway	Er. Pool-In Gmd
10177	Poss Signs	4845 Transit Rd	Er. Sign-Temp
10178	Kensinger, David	23 Cambridge Ct	Er. Shed
10179	Marrano/Marc Equity Inc	49 Cedar Brook Dr	Er. Dwlg.-Sin.
10180	Lamaque, Edward	52 Running Brk Dr	Er. Shed
10181	Essex Homes of WNY	8 Fox Trace	Er. Dwlg.-Sin.
10182	Juzdowski, Paul	24 Old Post Rd	Er. Deck

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

January 21, 2003

File:Rbldg2

COMMUNICATIONS & REPORTS:

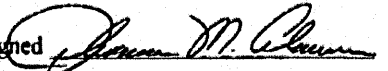
30. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, & Stempniak -
Notice of approval for Gateway Center Shopping Center, NEC Transit Road and William Street and no recommendation for Cricket Colocation of SBA Tower, 69 Cemetery Road, due to lack of landscape plan. DISPOSITION = Planning Committee
31. Town Clerk to Town Board -
Transmittal of monthly report for December 2002. DISPOSITION = Received & Filed
32. Lawrence Grabowski to Town Board -
Comments regarding proposed Pleasant Meadows Rezone and Subdivision. DISPOSITION = Planning Committee
33. Erie County Executive to Supervisor -
Notification of Community Development Block Grant funding for Main Street Revitalization Plan. DISPOSITION = Received & Filed
34. Erie County Department of Environment & Planning to Supervisor -
Notification of denial of Community Block Grant funding for William Street Sidewalks and Sidewalk Replacement - Main Street. DISPOSITION = Received & Filed
35. Association of Erie County Governments to Town Board -
Notice of meeting on January 23, 2003 at 7:00 PM at Michael's Banquet Facility. DISPOSITION = Received & Filed
36. Executive Director, Greenfields to Chief of Police -
Letter of appreciation for investigation performed by Police Department. DISPOSITION = Received & Filed
37. Darryl Geis to Town Board -
Comments regarding proposed Pleasant Meadows Rezone and Subdivision. DISPOSITION = Planning Committee
38. Village of Lancaster to Town Board -
Official Minutes of meeting held December 23, 2002. DISPOSITION = Received & Filed
39. Bowmansville Volunteer Fire Association to Supervisor -
Comments and concerns regarding proposed annexation of property on Columbia Avenue to the Village of Depew. DISPOSITION = Planning Committee
40. Town Clerk to Zoning Board Members, Building Inspector, Town Attorney -
Transmittal of Legal Notice setting Special Meeting on January 23, 2003 at 7:00 PM regarding variance petition for NEC Transit Road and William Street. DISPOSITION = Received & Filed
41. Town Clerk to Supervisor -
Transmittal of annual report for the year 2002. DISPOSITION = Received & Filed
42. Lee Chowanice to Town Board -
Comments regarding the proposed Pleasant Meadows Rezone and Subdivision. DISPOSITION = Planning Committee
43. General Crew Chief to Town Board -
Request resolution to advertise for bidders for the 2003 Tree Planting Program. DISPOSITION = Resolution 1/21/2003
44. Executive Director, Youth Bureau to Supervisor -
Recommendation of individuals for appointment to the Youth Board and letters of resignation for Patrick Barrett, Doris Huber, Msgr. Frederick Leising, and Dawn Lindamer from the Youth Board. DISPOSITION = Resolution 1/21/2003

45. Eric County Dept. of Environment & Planning to Town Attorney -
Comments regarding DEIS for the proposed Pleasant Meadows Subdivision.
DISPOSITION = Planning Committee
46. General Crew Chief to Supervisor -
Request appointment of Claire Dela Rosa as Recreation Attendant (Dance Instructor).
DISPOSITION = Resolution 1/21/2003
47. Dog Control Officer to Town Board -
Request appointment of William B. Garland as Assistant Dog Control Officer and Census
Taker. DISPOSITION = Resolution 1/21/2003
48. Bowmansville Volunteer Fire Association to Town Board -
Request change in roster. DISPOSITION = Resolution 1/21/2003
49. Arlene A. Zipp to Supervisor -
Notification of retirement effective March 1, 2003. DISPOSITION = Received & Filed
50. Candy Brown to Supervisor -
Letter regarding NYS Assembly Bill #A.2580, a.k.a. "Penny's Law". DISPOSITION =
Resolution
51. Dog Control Officer to Town Board -
Request appointment of Lew Pacanowski as Assistant Dog Control Officer.
DISPOSITION = Resolution 1/21/2003
52. Highway Superintendent to Town Board -
Transmittal of the 2003 Annual Agreement to spend town highway funds.
DISPOSITION = Resolution 1/21/2003
53. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer, Town
Attorney, Building Inspector -
Draft copy of minutes of meeting held January 8, 2003. DISPOSITION = Received &
Filed
54. Planning Board to Town Board -
Recommend approval of site plan for NEC Transit/William LLC. DISPOSITION =
Planning Committee

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:22 P.M. in memory of Kathleen Stanley and Kevin Stanley.

The meeting was adjourned at 9:22 P.M.

Signed 
Johanna M. Coleman, Town Clerk